

# FINAL BILL REPORT

## ESHB 1799

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### PARTIAL VETO

C 408 L 05

Synopsis as Enacted

**Brief Description:** Creating a task force on state public recreational lands and public safety.

**Sponsors:** By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives B. Sullivan and Upthegrove).

**House Committee on Criminal Justice & Corrections**

**Senate Committee on Natural Resources, Ocean & Recreation**

#### **Background:**

The State Parks and Recreation Commission (Commission) is classified by statute as a "limited authority Washington law enforcement agency." The Commission is charged, in part, with enforcing the state laws on or near public recreational lands. Park rangers must complete a training course developed by the Commission and are vested with police powers to enforce Washington laws. Park rangers enforce laws outside these areas only at the request of another agency.

A "limited authority Washington law enforcement agency" means any agency or unit or division of local or state government that has, as one of its functions, the apprehension or detection of persons committing infractions or violating traffic or specific criminal laws. Agencies so designated include, but are not limited to, the state Department of Natural Resources, Department of Social and Health Services, the state Gambling Commission and the state Department of Corrections.

A "general authority Washington law enforcement agency" is defined by statute as any agency or unit or division of local or state government that has, as one of its primary functions, the detection and apprehension of persons committing infractions or violating traffic or criminal laws in general. It also means any other unit of government expressly designated by statute as such an agency. General authority law enforcement agencies include the Washington State Patrol and the Department of Fish and Wildlife. Such law enforcement agencies may enforce any traffic or criminal law of the state throughout the territorial boundaries of the state.

Absent a special commission, the statute does not expressly grant park rangers permission to enforce the laws of Washington outside the territory of state recreational lands. The Commission may adopt policies and enforce rules pertaining to the use, care, and administration of state parks and parkways. In January 2005, the Commission adopted a policy that requires park rangers to engage in law enforcement only within the boundaries of state park properties except: (1) when in fresh pursuit, following the commission of a felony (except such pursuit is not authorized for vehicle pursuits that involve speeds in excess of

posted speed limits over significant distances); and (2) where specifically authorized by the Legislature.

**Summary:**

A task force is created to study law enforcement issues on and near state parks and recreational lands, and to review public safety concerns associated with any identified law enforcement issues. The task force must submit a final report to the Legislature on its findings and recommendations by December 15, 2005.

**Votes on Final Passage:**

House	63	33	
Senate	43	4	(Senate amended)
House	64	34	(House concurred)

**Effective:** July 24, 2005

**Partial Veto Summary:** The Governor vetoed the section articulating the Legislature's finding that law enforcement functions at state parks and lands are insufficient to adequately protect the public and the state's natural resources.